

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE APPROPRIATIONS COMMITTEE

Date: Friday, March 22, 2013

Place: Capitol

Time: 3:00 PM

Room: 102

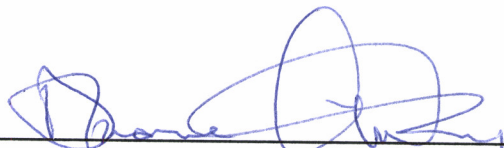
BILLS and RESOLUTIONS HEARD:

SB 236 - Increase coal board funding until June 30, 2019

EXECUTIVE ACTION TAKEN:

HB 266 - Tabled
HB 267 - Tabled
HB 471 - Tabled
HB 580 - Do Pass
HB 606 - Do Pass
HB 377 - Do Pass As Amended
HB 454 - Do Pass As Amended
HB 14 - Do Pass As Amended
HB 354 - Do Pass As Amended
HB 599 - Do Pass As Amended

Comments:



REP. Duane Ankney, Chair

pm

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE:

3/22/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. STEVE GIBSON, VICE CHAIR	✓	
REP. GALEN HOLLENBAUGH, VICE CHAIR	✓	
REP. ROB COOK	✓	
REP. TOM WOODS	✓	
REP. RON EHLE	✓	
REP. LEA WHITFORD	✓	
REP. PAT NOONAN	✓	
REP. CHAMP EDMUNDS	✓	
REP. KELLY MCCARTHY	✓	
REP. DAVE HAGSTROM	✓	
REP. ROBERT MEHLHOFF	✓	
REP. DONALD JONES	✓	
REP. RYAN OSMONDSON	✓	
REP. BILL MCCHESENEY	✓	
REP. CARL GLIMM	✓	
REP. RANDY BRODEHL	✓	
REP. KIMBERLY DUDIK	✓	
REP. NANCY BALLANCE	✓	
REP. ROY HOLLANDSWORTH	✓	
REP. MIKE CUFFE	✓	
REP. DUANE ANKNEY, CHAIR	✓	

BILL TABLED NOTICE

HOUSE APPROPRIATIONS COMMITTEE

The HOUSE APPROPRIATIONS COMMITTEE TABLED

HB 266 - Fund partial implementation of big pipestone creek restoration plan projects -
Rep. Ray Shaw


HB 267 - Provide for construction of the Montana historical society building - Rep. Roy
Hollandsworth

HB 471 - Provide for farm to school programs - Rep. Greg Hertz

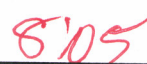
by motion, on **Friday, March 22, 2013** (PLEASE USE THIS ACTION DATE IN LAWS BILL
STATUS).



(For the Committee)



(For the Chief Clerk of the House)



(Time)



(Date)

March 23, 2013 (8:02am)

Lisa Adams, Secretary

Phone: 1754



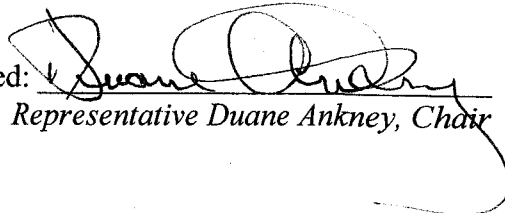
HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 580** (first reading copy -- white) **do pass**.

Signed: 

Representative Duane Ankney, Chair

- END -

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

HB0580001SC.hjk

11 5:15
3/22




HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 606** (first reading copy -- white) **do pass**.

Signed: 
Representative Duane Ankney, Chair

- END -

Committee Vote:

Yes 15, No 6

Fiscal Note Required ☐

HB0606001SC.hjk

3/22
5:15



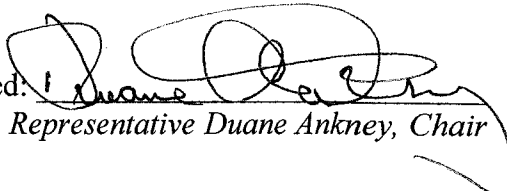
HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 377** (second reading copy - yellow) **do pass as amended.**

Signed: 
Representative Duane Ankney, Chair

And, that such amendments read:

1. Page 13, line 7.

Strike: "AND"

2. Page 13, line 9.

Following: "YEARS"

Insert: "; and (iii) the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-20-719"

- END -

Committee Vote:

Yes 14, No 7

Fiscal Note Required ☐

HB0377002SC.hjk

3/22
5:15



HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 6

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 454** (second reading copy - yellow) do pass as amended.

Signed: 
Representative Duane Ankney, Chair

And, that such amendments read:

1. Title, page 1, line 6 through line 13.

Strike: "PROVIDING" on line 6 through "FUND;" on line 13.

2. Title, page 1, line 15 through line 16.

Strike: "PROVIDING" on line 15 through "BIENNIUM;" on line 16

3. Title, page 1, line 17.

Strike: "15-35-108, 17-5-703,"

Insert: "17-7-502,"

4. Title, page 1, line 17 through line 18.

Strike: "AMENDING" on line 17 through "2011;" on line 18

Insert: "REPEALING SECTION 19-3-319, MCA;"

5. Page 2, line 25 through page 9, line 20.

Strike: section 1 through section 2 in their entirety

Insert: "Section 1. Section 17-7-502, MCA, is amended to read:

"17-7-502. **Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

Committee Vote:

Yes 14, No 7

Fiscal Note Required ☐

HB0454002SC.hjk

11 3/22
5:15

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; ~~19-3-319~~, 19-3-316; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and

pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)""

Renumber: subsequent sections

6. Page 10, line 24.

Following: "rates"

Insert: "-- supplemental employer and general fund contributions
-- statutory appropriation"

7. Page 10, line 24 through line 25.

Strike: "Except" on line 24 through "the" on line 25

Insert: "The"

8. Page 10, line 25.

Strike: "6.9%"

Insert: "6.8%"

9. Page 10, line 26.

Strike: "additional"

Insert: "supplemental employer"

Strike: "(3)"

Insert: "(2)"

10. Page 11, line 1 through line 16.

Strike: subsection (2) through (4) in their entirety

Insert: "(2) Subject to subsection (3), each employer and the general fund shall contribute to the system a supplemental contribution equal to a percentage of the compensation paid to all of the employer's employees, except those employees properly excluded from membership, as follows:

(a) on the compensation of state agency employees, including the university system:

(i) beginning July 1, 2013, through June 30, 2015, 1.37% by the employer and 3.5% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 2.07% by the employer and 2.8% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 2.77% by the employer and 2.1% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 3.47% by the employer and 1.4% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 4.17% by the employer and 0.7% by the general fund; and

(vi) beginning July 1, 2019, 4.87% by the employer;

(b) on the compensation of local government employees:

(i) beginning July 1, 2013, through June 30, 2015, 1.27% by the employer and 3.6% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 1.47% by the employer and 3.4% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 1.67% by the employer and 3.2% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 1.87% by the employer and 3.0% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 2.07% by the employer and 2.8% by the general fund; and

(vi) beginning July 1, 2019, 2.27% by the employer and 2.6% by the general fund;

(c) on the compensation of school district employees:

(i) beginning July 1, 2013, through June 30, 2015, 1.0% by the employer and 3.87% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 1.2% by the employer and 3.67% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 1.4% by the employer and 3.47% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 1.6% by the employer and 3.27% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 1.8% by the employer and 3.07% by the general fund; and

(vi) beginning July 1, 2019, 2.0% by the employer and 2.87% by the general fund.

(3) (a) When the system is 90% funded as of the latest actuarial valuation and the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-3-1605, the board shall decrease the contribution percentages provided in subsection (2) by a total percentage that will provide that the system is not less than 85% funded. Two-thirds of the total percentage decrease must be applied to the general fund contribution and one-third of the total percentage decrease must be applied to the employer contribution. If the general fund contribution is too low to be reduced by the two-thirds, the general fund contribution must be decreased to zero and the remainder of the total reduction must be applied to the employer contribution. If the general fund contribution is zero, the total percentage reduction must be applied entirely to the employer contribution.

(4) The general fund supplemental contributions under subsection (2) are statutorily appropriated, as provided in 17-7-502, on an annual basis from the general fund to the system's pension trust fund."

11. Page 13, line 25 through line 26.

Strike: "on" on line 25 through "order" on line 26

Insert: "the employer portion of the supplemental contribution provided for in 19-3-316(2) must be allocated as follows"

12. Page 13, line 27.

Following: "(i)"

Insert: "0.27% of compensation must be allocated"

13. Page 13, line 27.

Following: "liability"

Insert: "until it has been fully paid"

14. Page 13, line 28.

Following: "(ii)"

Insert: "when the plan choice rate unfunded actuarial liability has been fully paid, 0.27% must be allocated"

15. Page 13, line 29 through line 30.

Strike: "on" on line 29 through "compensation" on line 30

Insert: "the remainder of the employer supplemental contribution and the general fund supplemental contribution under 19-3-316(2)"

16. Page 14, line 5 through page 15, line 2.

Strike: section 7 through section 10 in their entirety

Insert: "NEW SECTION. Section 6. Repealer. The following section of the Montana Code Annotated is repealed:

19-3-319. State contributions for local government and school district employers."

Renumber: subsequent sections

- END -



HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 354** (first reading copy -- white) **do pass as amended.**

Signed: 
Representative Duane Ankney, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "REQUIRING" through "ACCOUNT;"

2. Title, page 1, line 7.

Strike: "ONLY"

3. Title, page 1, line 11.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 2, line 29.

Following: "transfers"

Insert: ", but money may not be transferred out of the account"

5. Page 2, line 30.

Strike: "\$25"

Insert: "\$30"

6. Page 3, line 1.

Strike: "\$25"

Insert: "\$30"

7. Page 3, lines 2 through 4.

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

HB0354001SC.hjk

11 3/22
5:15

Strike: "Money" on line 2 through "legislature." on line 4

8. Page 3, line 6.

Following: "expenses for"

Insert: "suppression of fires, fuel reduction and mitigation, and forest restoration."

9. Page 3, line 8.

Strike: line 8

10. Page 3, line 9.

Following: line 8

Insert: "(5) Up to \$5 million each biennium may be used for the purposes of fuel reduction and mitigation and forest restoration."

Renumber: subsequent subsections

11. Page 3, lines 13 and 14.

Strike: subsection (7) in its entirety

12. Page 3, line 17.

Following: line 16

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates June 30, 2019."

- END -



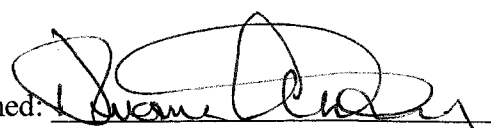
HOUSE STANDING COMMITTEE REPORT

March 22, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 599** (first reading copy -- white) **do pass as amended.**

Signed: 

Representative Duane Ankney, Chair

And, that such amendments read:

1. Title, page 1, line 4.

Strike: "THE GENERAL FUND"

Insert: "A STATE SPECIAL REVENUE ACCOUNT"

2. Page 1, line 13.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

3. Page 1, line 26.

Following: "commerce"

Insert: "and the transportation commission provided for in 2-15-2502"

4. Page 2, line 4.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

5. Page 2, line 5.

Insert: "NEW SECTION. **Section 6. Contingent voidness.** If the department of transportation does not designate the West Fork

Committee Vote:

Yes 21, No 0

Fiscal Note Required ☐

HB0599001SC.hjk

5:14pm
3/22

March 22, 2013

Page 2 of 2

Road a state secondary highway by June 30, 2015, then [this act] is void."

Renumber: subsequent sections

- END -